

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 0:24-cv-61383-LEIBOWITZ/AUGUSTIN-BIRCH

**CHRISTOPHER HOFMANN**, *on behalf of  
himself and all others similarly situated,*

*Plaintiff,*

*v.*

**JERICO PICTURES, INC. d/b/a  
NATIONAL PUBLIC DATA,**

*Defendant.*

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**ORDER**

**THIS CAUSE** is before the Court on Defendant's Motion for Extension of Time to File a Response to Plaintiff's Complaint [ECF No. 9], filed on September 5, 2024. Because Defendant failed to certify that it conferred with Plaintiff prior to filing the Motion, the Motion is due to be DENIED.

Local Rule 7.1(a)(3) of the U.S. District Court for the Southern District of Florida provides:

Prior to filing any motion in a civil case, . . . counsel for the movant shall confer (orally or in writing), or make reasonable effort to confer (orally or in writing), or make reasonable effort to confer (orally or in writing), with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve by agreement the issues to be raised in the motion. . . . At the end of the motion, and above the signature block, counsel for the moving party *shall certify* [in accordance herewith.]

*Id.* (emphasis added). The Rule further states that “[f]ailure to comply . . . may be cause for the Court to grant or deny the motion and impose on counsel an appropriate sanction[.]” *Id.*

Defendant failed to certify that it conferred or made reasonable efforts to confer with Plaintiff prior to filing the instant motion. Therefore, it is **ORDERED AND ADJUDGED** the Motion [ECF No. 9] is **DENIED WITHOUT PREJUDICE**.

**DONE AND ORDERED** in the Southern District of Florida on September 5, 2024.

  
DAVID S. LEIBOWITZ  
UNITED STATES DISTRICT JUDGE

cc: counsel of record